

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

Bail Appl..No. 7547 of 2007()

CRIME NO. 130/07 OF KAYAMKULAM EXCISE RANGE
CMP.7576/2007 of J.M.F.C., KAYAMKULAM
.....

PETITIONER/ACCUSED

SUBHAGAN, S/O.DIVAKARAN, THANDATHU
VADAKKETHARAYIL, PUTHUPPALLY NORTH,
PUTHUPPALLY VILLAGE, KARTHIKAPPALLY TALUK.

BY ADV. SRI.K.HARILAL
SRI.R.GOPAN

RESPONDENTS: COMPLAINANTS

1. STATE OF KERALA, REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.
2. EXCISE INSPECTOR,
KAYAMKULAM EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07/12/2007, A/W. BA 7551 OF 2007, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A.Nos. 7547 & 7551 of 2007

Dated this the 7th day of December, 2007

ORDER

These applications for regular bail are filed by the common petitioner. He faces allegations under the Kerala Abkari Act in two different crimes. He was allegedly found to be in possession of 1 litre of arrack on 19.9.2007 and 10 litres of arrack on 30.10.2007. He was arrested in the latter crime on 30.10.07 and continues in custody from that date. His arrest has been recorded in the other crime also. The petitioner has no history of any criminal antecedents other than these two crimes, submits the learned Prosecutor.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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